



BERLIN MAYOR AND COUNCIL

Meeting Agenda

Berlin Town Hall

10 William Street

Monday, December 9, 2019

6:00 PM DAIS PHOTO

7:00 PM REGULAR SESSION – Council Chambers

1. Approval of the Minutes for:
 - a. Executive Session of 11/25/19
 - b. Statement of Closure for Executive Session of 11/25/19
 - c. Regular Session of 11/25/19
2. Nomination for a new Planning and Zoning Commission Member – Mayor Williams
3. Departmental Reports
4. Town Administrator's Report
5. Comments from the Mayor
6. Comments from the Council
7. Comments from the Public
8. Comments from the Press
9. Adjournment

Anyone having questions about the meetings mentioned above or needing special accommodations should contact Town Administrator Jeffrey Fleetwood at (410) 641-4002. Written materials in alternate formats for persons with disabilities are made available upon request.

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BERLIN MAYOR AND COUNCIL
Meeting Minutes
Monday, November 25, 2019

7:00 PM REGULAR SESSION – Berlin Town Hall Council Chambers

Present: Mayor Gee Williams, Vice-President Elroy Brittingham, Councilmembers Thom Gulyas, Zackery Tyndall, Dean Burrell, and Troy Purnell.

Staff Present: Town Administrator Jeffrey Fleetwood, Deputy Town Administrator Mary Bohlen, Finance Director Natalie Saleh, Water Resources Director Jamey Latchum, Police Chief Arnold Downing, Electric Utility Director Tim Lawrence, Planning Director Dave Engelhart, Economic and Community Development Director Ivy Wells, Town Attorney David Gaskill, and Administrative Manager Kelsey Jensen.

Following the Lord's Prayer and Pledge of Allegiance, Mayor Williams called the meeting to order at approximately 7:05 PM.

1. Approval of the Minutes for:

a. Executive Session of 10/15/19:

On the motion of Councilmember Tyndall, the Executive Session minutes of October 15, 2019 were approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas			X		
Zackery Tyndall	X				
<i>Voting Tally</i>	4		1		

b. Statement of Closure for Executive Session of 10/15/19:

Mayor Williams read the Statement of Closure.

c. Regular Session of 10/15/19:

On the motion of Councilmember Tyndall, the Regular Session Minutes of October 15, 2019 were approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas			X		
Zackery Tyndall	X				
<i>Voting Tally</i>	4		1		

d. Executive Session of 10/23/19:

On the motion of Vice-President Brittingham, the Executive Session minutes of October 23, 2019 were approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas			X		
Zackery Tyndall	X				
<i>Voting Tally</i>	4		1		

e. Statement of Closure for Executive Session of 10/23/19:
Mayor Williams read the Statement of Closure.

f. Regular Session of 11/12/19:

On the motion of Councilmember Gulyas, the Regular Session Minutes of November 12, 2019 were approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

2. Town of Berlin FY2019 Audit

Michael Kleger and Leslie Michalik with PKS and Company presented the FY2019 Audit Information. Discussion ensued about stopping the borrowing and possibly writing off all or some of the deficit. Mayor Williams said it will be something we need to consider for the FY2021 budget and that we need to set a reserve policy. Councilmember Tyndall asked about assigned and unassigned reserves; Ms. Michalik said assigned can become unassigned if the Council votes to re-allocate it. Councilmember Purnell asked why we are losing so much with wastewater; Mr. Kleger said because there were no rate increases in 10 years.

3. Chapter 24: Solid Waste:

Town Administrator Jeffrey Fleetwood explained the purpose of both the Ordinance and the Policy.

a) Public Hearing on Ordinance 2019-05 amending Town Code Chapter 24: Solid Waste
Mayor Williams opened the Public Hearing at 7:34 PM.

Residents Jim Meckley, Marie VeLong, Brittany Palmer, Jason Walter, and Susanne Parks all made remarks on the topic of bulk pick up and expressed their concerns over the proposed policy change.

With no further comments, Mayor Williams closed the Public Hearing at 7:50 PM.

Town Attorney David Gaskill said the Public Hearing is for the Ordinance, not changing the bulk policy; Councilmember Tyndall said the Ordinance makes reference to fees. Deputy Town Administrator Mary Bohlen pointed out that the Ordinance is not setting the fees, only

allowing the Council to impose one in the future, she also noted that on page eight, the word dates was left out in section 24-55 item B.

On the motion of Councilmember Tyndall, the Motion to table the Ordinance at this time was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Elroy Brittingham, VP		X			
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas		X			
Zackery Tyndall	X				
<i>Voting Tally</i>	3	2			

b) Motion of the Mayor and Council 2019-35: Approving the Special Waste Collections Policy

On the motion of Councilmember Tyndall, the Motion to table the Policy was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

Councilmember Burrell commented that the service is being abused and the Town's hands are tied, he'd like to see something done to those that are abusing the system. Councilmember Purnell said that if we want services to continue, costs will have to go up somewhere. Councilmember Tyndall said he would like to see the Town work with local partners on repurposing the bulk items that are in good condition and he would be happy to help arrange that.

4. Application for Special Sunday Permit – Boggs Disharoon American Legion Post 123 for December 8, 2019

On the motion of Vice-President Brittingham Application for Special Sunday Permit was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

5. Departmental Reports:

a. Finance Director – Natalie Saleh

Ms. Saleh said she is working on the budget schedule and hopes to get things going sooner this year and do the tax rate before the budget, she will have the schedule to the Council by the next meeting. She has also been working on some internal control policies and hopes to have those completed by the spring. Councilmember Burrell asked her to share the GFOA best practices for

municipalities with the Council. Lastly, Councilmember Tyndall said he would like some more clarity with this budget on assigned reserves, unassigned reserves, and impact fees.

b. Deputy Town Administrator – Mary Bohlen

Ms. Bohlen said today Comcast presented Worcester Youth and Family with a check for \$1689 from the volunteers at clean up day. She also mentioned that the Parks Commission will meet on December 3rd and this will start their every other month meetings schedule.

c. Water Resources Director – Jamey Latchum

Mr. Latchum said they should wrap up Graham Avenue over the next few weeks. They have been installing new water lines in Town and testing meters.

d. Electric Utility Director – Tim Lawrence

Mr. Lawrence said they have been working to remove the #3 engine which failed in 2004. Town Administrator Jeffrey Fleetwood mentioned that the engine that failed most recently was the #2 engine. They have been preparing for Christmas, and plan to turn on the pole lights tomorrow. Lastly, they are doing meter reads this week.

e. Police Chief – Arnold Downing

Chief Downing said they have been preparing for the parade and reaching out to local law enforcement agencies for assistance.

f. Planning and Zoning Director – David Engelhart

Mr. Engelhart said at the next Planning Commission meeting they will be considering the annexation petition for the old McDonalds property, if it is recommended the Council will likely see it in January. Vice-President Brittingham asked if the BBQ place is still happening; he said it is on hold for now. He then asked how many homes have been built in town for this calendar year; he said 10 single family homes so far. They have also issued a total of 226 permits as of today.

g. Economic and Community Development Director – Ivy Wells

Ms. Wells said they decorated the tree this week. The tree lighting will be at 6 PM on Friday, the roads will close at 4:30 PM, caroling will take place at 6:15 PM, the Taylor House Museum will do their candlelight tours, Artisans Green will have vendors set up, and Ocean Downs Casino will sponsor the ice sculpting again. On Saturday Santa will be at the Welcome Center from 11 AM to 2 PM. There is a gingerbread decorating competition for the businesses. There is a Mistletoe on Main Street promotion happening until January 1, 2020. Lastly, she wanted to say that her amount of trash at home has significantly dropped since they put the single stream system in place. Mayor Williams said he is very happy to see the decorating underway and the cleanliness of the Town.

6. Town Administrator's Report – Jeffrey Fleetwood

Mr. Fleetwood mentioned that the Parade will take place on Thursday, December 5th and if you are volunteering, pizza will be served at 4:30 PM. The employee holiday lunch will be on Friday, December 13th at 11:30 AM. Lastly, there will be an identity theft presentation taking place in Town Hall on January 14, 2020 at 10:30 AM and it is open to the public.

7. Comments from the Mayor – none.

8. Comments from the Council – none.

9. Comments from the Public – none.

10. Comments from the Press – none.

11. Adjournment:

On the motion of Councilmember Burrell, the Mayor and Council meeting was adjourned at approximately 8:30 PM.

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

Respectfully Submitted,



Kelsey Jensen
Administrative Manager



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

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www.berlinmd.gov



December 3, 2019

MEMORANDUM

To: All Council Members

From: Gee Williams, Mayor

Subject: Appointments – Boards & Commissions



Mayor

Wm. Gee Williams, III

Vice President

Elroy Brittingham, Sr.

Council Members

Dean Burrell, Sr.

Troy Purnell

Thomas L. Gulyas

Zackery Tyndall

Town Attorney

David Gaskill

Town Administrator

Jeffrey Fleetwood

I wish to recommend an appointment to the Planning and Zoning Commission to fill the expired term of Barb Stack. Barb has served on the Planning Commission for about 10 years, first as an alternate and then as a regular member. I know we all appreciate and thank Barb for her service and interest in the Town of Berlin and wish her all the best for many years to come.

I have reached out and interviewed my nominee, Matthew Stoehr. Matt grew up in the Berlin-Ocean City area and moved to the Town of Berlin four years ago. He is the finance and sales director and part-owner of Poseidon Plumbing and Home Services.

I had a very good interview with Matt recently and I have confidence he will serve our community with integrity and uncommon, common sense. I will be offering this recommendation for your consideration at our next Mayor and Council meeting on Monday, Dec. 9th.

My formal recommendation to fill the vacancy on the Berlin Planning and Zoning is:

Planning and Zoning Board (5-year term)

Matthew Stoehr --- 511 Sunlight Lane

Thank you for your consideration.